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EXAMINER

BRUCKART, BENJAMIN R

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2155

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/709,487	Applicant(s) BONEFAS ET AL.	
	Examiner Benjamin R Bruckart	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30, 56-66 and 86 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30, 56-66 and 86 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) - | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Status of Claims:

Claims 1-30, 56-66, 86 are pending in this Office Action.

Claims 31-55, 67-85 are withdrawn but have not been cancelled by the Applicant, SEE Election / Restriction Requirement.

The 35 U.S.C. 112, second paragraph rejection is withdrawn from claim 3 in light of applicant's amendment.

Claims 1-6, 8-17, 23-27, 30, 56-66 remain rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No 6,430,624 by Jamtgaard et al.

Claims 7 and 29 remain rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6,430,624 by Jamtgaard et al in view of U.S. Publication No. 2002/0002602 by Vange et al

Claims 18-22 remain rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6,430,624 by Jamtgaard et al in view of U.S. Patent No 5,899,975 by Nielson

Claim 28 remains rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6,430,624 by Jamtgaard et al in view of U.S. Publication No 2002/0010716 by McCartney et al.

Election/Restrictions

In paper no. 11, an election was made with traverse to prosecute the invention of Group 1, claims 1-8, 9-30, 56-66. * Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. * Since applicant did not traverse the restriction requirement, the claims are treated without traverse.

Response to Arguments

Applicant's arguments filed 9-1-2004 have been fully considered but they are not persuasive. See below.

Applicant's invention as claimed:

Claims 1-6, 8-17, 23-27, 30, 56-66, 86 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No 6,430,624 by Jamtgaard et al.

Regarding claim 1, a system for deploying content to devices (Jamtgaard: col. 2, line 40; col. 4, lines 34-39), comprising:

a translator operative to receive data sent from devices and to translate said data into a standardized format (Jamtgaard: col. 4, lines 39-49, lines 61-66; col. 6, lines 32-36; 54-66);

a content provider interface operative to receive said data in said standardized format (Jamtgaard: col. 6, lines 32-37; content connection handler and appliance connection handler; Fig 4, tags 40 and 44) and to provide content data in said standardized format (Jamtgaard: col. 7, lines 48-58, lines 12-26, 31-47 xml engine);

a transformer operative to receive said content data and to transform said content data into a format for a particular device (Jamtgaard: col. 8, lines 4-7; layout engine); and

a session manager examining data content communicated between at least one of said devices and said content provider to change characteristics associated with at least one said translator and said transformer (Jamtgaard: col. 7, lines 31-47; appliance connection handler; col. 5, lines 27-53).

Regarding claim 2, the system according to claim 1, wherein:

said standardized format is an XML message (Jamtgaard: col. 2, line 53).

Regarding claim 3, the system according to claim 1, wherein:

said transformer is operative to select a transformation based on a pre-selected format (Jamtgaard: col. 7, lines 48-63; rml) and to transform said content data using said selected transformation (Jamtgaard: col. 7, lines 48-63).

Regarding claim 4, the system according to claim 3, wherein:

said transformation is selected from a group of XSL style sheets (Jamtgaard: col. 10, lines 60- col. 11, line 9).

Regarding claim 5, the system according to claim 3, wherein:

said transformer is operative to select a plurality of transforms (Jamtgaard: col. 10, lines 60- col. 11, line 9) and to apply said plurality of transforms in at least one of: sequentially and independently, to transform said content data (Jamtgaard: col. 10, lines 65- col. 12, line 65; example of html to rml page).

Regarding claim 6, the system according to claim 1, further comprising:

an extractor operative to access session information about a browser of said particular device (Jamtgaard: col. 5, lines 1-6; col. 7, lines 44-47).

Regarding claim 8, the system according to claim 1, wherein:

said devices are wireless devices (Jamtgaard: col. 5, lines 7-25).

Regarding claim 9, a method of communicating with devices that use different communication schemes (Jamtgaard: col. 4, lines 66- col. 5, line 6), comprising:

receiving first data from one or more devices (Jamtgaard: col. 6, lines 32-36; 54-66, col. 4, lines 39-44; WAP gateway);

translating said first data into a standardized format (Jamtgaard: col. 6, lines 59-64);

providing said translated data to a content provider interface (Jamtgaard: col. 6, lines 32-37; content connection handler and appliance connection handler; Fig 4, tags 40 and 44);

receiving second data response from said content provider interface in said standardized format (Jamtgaard: col. 7, lines 48-58, lines 12-26, 31-47 xml);

transforming said second data into content type specific forms for the one or more devices (Jamtgaard: col. 8, lines 4-7; layout engine); and

forwarding said transformed second data to said one or more devices (Jamtgaard: col. 20, lines 63-65); and

session managing to change characteristics associated with at least one of said step of translating and said step of transforming based on examining data content communicated between said one or more devices and said content provider interface (Jamtgaard: col. 7, lines 31-47; appliance connection handler; col. 5, lines 27-53).

Regarding claim 10, the method according to claim 9, further comprising:

extracting information about said device from said first data (Jamtgaard: col. 5, lines 1-6; col. 7, lines 44-47).

Regarding claim 11, the method according to claim 10, wherein:

said extracted information includes device specific features (Jamtgaard: col. 5, lines 1-6; type of device).

Regarding claim 12, the method according to claim 10, wherein the transforming step comprises:

selecting an XSL style sheet based on said extracted information (Jamtgaard: col. 7, lines 48-63); and

using said selected XSL style sheet to transform said second data (Jamtgaard: col.s 11 and 12, the XSL stylesheet transformation).

Regarding claim 13, the method according to claim 10, wherein:

said extracted information includes information about a browser (Jamtgaard: col. 7, lines 46-47).

Regarding claim 14, the method according to claim 10, wherein:

said extracted information includes a message key (Jamtgaard: col. 8, lines 25-46).

Regarding claim 15, the method according to claim 14, further comprising:

selecting said content provider interface based on said message key (Jamtgaard: col. 8, lines 40, 41; URL address).

Regarding claim 16, the method according to claim 14, wherein:

said message key includes at least one of a vertical market; an action; an action type; and a content provider identifier (ID) (Jamtgaard: col. 8, lines 40, 41; URL address).

Regarding claim 17, the method according to claim 16, wherein:

said vertical market is a brokerage market, said action is a quote, said action type is at least one of a request and a response, and said content provider ID corresponds to a particular brokerage (Jamtgaard: col. 13, lines 51-53).

Regarding claim 23, the method according to claim 9, wherein:

said first data is a request (Jamtgaard: col. 6, lines 53-66).

Regarding claim 24, the method according to claim 23, wherein:

said request is a hyper-text transfer protocol (HTTP) request (Jamtgaard: col. 8, lines 25-29).

Regarding claim 25, the method according to claim 9, wherein:

said second data is a response (Jamtgaard: col. 7, lines 31-47; transmit to the requesting information device).

Regarding claim 26, the method according to claim 9, wherein:

said standardized format of said second data is an XML message format (Jamtgaard: col. 2, line 53).

Regarding claim 27, the method according to claim 9, wherein:

said content provider is a third party (Jamtgaard: Figure 4, tag 13).

Regarding claim 30, the method according to claim 9, wherein:

said device is a wireless device (Jamtgaard: col. 5, lines 7-25).

Regarding claim 56, a method of communicating from a device to a controller using different communication schemes (Jamtgaard: col. 6, lines 54-67; col. 5, lines 7-25), comprising:

sending first data from one or more devices using one or more transmission formats to a controller (Jamtgaard: col. 6, lines 54-64); and

receiving from said controller second data using content specific forms for said one or more devices (Jamtgaard: col. 6, lines 64-67), wherein said first data is translated by said controller into a standardized format and conveyed to a content provider (Jamtgaard: col. 6, lines 59-64; col. 4, lines 61-66);

receiving said second data by said controller from said content provider in said standardized format (Jamtgaard: col. 7, lines 48-58, lines 12-26, 31-47); and

transforming by said controller said second data into said content specific forms (Jamtgaard: col. 8, lines 4-7; layout engine);

wherein at least one of said translating and said transforming are performed based on examining at least one of said first data and said second data communicated between said one or more devices, said controller and said content provider (Jamtgaard: col. 7, lines 31-47; appliance connection handler; col. 5, lines 27-53).

Regarding claim 57, a method of transforming data (Jamtgaard: col. 4, lines 58-66), comprising:

receiving a message (Jamtgaard: col. 6, lines 54-64);

extracting information from said message (Jamtgaard: col. 5, lines 1-6; col. 7, lines 44-47);

selecting transformation specifications based on said extracted information (Jamtgaard: col. 8, lines 31-34, lines 46-61); and

applying said selected transformation specifications to the data (Jamtgaard: col. 8, lines 55-61).

Regarding claim 58, the method of claim 57, further comprising:

retrieving said transformation specifications from a database (Jamtgaard: col. 6, lines 37-40).

Regarding claim 59, the method of claim 57, further comprising cross-referencing said transformation specifications in said database to said extracted information (Jamtgaard: col. 6, lines 37-48).

Regarding claim 60, the method of claim 57, wherein:

said message includes a message key (Jamtgaard: col. 8, lines 25-46).

Regarding claim 61, the method according to claim 60 wherein:

said message key includes at least one of a vertical market; an action; an action type; and a content provider identifier (ID) (Jamtgaard: col. 8, lines 40, 41; URL address).

Regarding claim 62, the method of claim 57, wherein said message comprises:

session information including at least one of a user agent and a device type (Jamtgaard: col. 8, lines 34-41).

Regarding claim 63, the method of claim 57, wherein:

said transformation specifications are specified as XSL style sheets (Jamtgaard: col. 7, lines 48-63).

Regarding claim 64, the method of claim 63, wherein:

a single XSL style sheet is selected (Jamtgaard: col. 10, lines 65- col. 12, line 65; example of html to rml page).

Regarding claim 65, the method of claim 63, wherein:

multiple XSL style sheets are selected (Jamtgaard: col. 10, lines 65- col. 11, line 9).

Regarding claim 66, the method of claim 57, wherein:

said message is an XML message (Jamtgaard: col. 2, line 53).

Regarding claim 86, a system for communicating from a device to a controller using different communication schemes (Jamtgaard: col. 6, lines 54-67; col. 5, lines 7-25), comprising:

means for sending first data from one or more device using one or more transmission formats to a controller (Jamtgaard: col. 6, lines 54-64);

means for receiving from said controller second data using content specific forms for said one or more devices (Jamtgaard: col. 6, lines 64-67);

means for translating said first data by said controller into a standardized format conveyed to a content provider (Jamtgaard: col. 6, lines 59-64; col. 4, lines 61-66);

means for receiving said second data by said controller from said content provider in said standardized format (Jamtgaard: col. 7, lines 48-58, lines 12-26, 31-47); and

transforming by said controller said second data into said content specific forms (Jamtgaard: col. 8, lines 4-7; layout engine);

wherein at least one of said translating and said transforming are performed based on examining at least one of said first data and said second data communicated between said one or more devices and said content provider (Jamtgaard: col. 7, lines 31-47; appliance connection handler; col. 5, lines 27-53).

Claims 7 and 29 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6,430,624 by Jamtgaard et al in view of U.S. Publication No. 2002/0002602 by Vange et al

Claims 18-22 are rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6,430,624 by Jamtgaard et al in view of U.S. Patent No 5,899,975 by Nielson

Claim 28 is rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No 6,430,624 by Jamtgaard et al in view of U.S. Publication No 2002/0010716 by McCartney et al.

Regarding claim 7,

The Jamtgaard reference teaches the system according to claim 1, receiving, translating, and providing data to a content provider.

The Jamtgaard reference does not explicitly disclose sending the data to more than one content provider.

The Vange reference teaches a composer operative to generate a combined response to a particular device (Vange: Page 9, paragraph 0091) from a plurality of responses received to a plurality of requests provided to a plurality of content providers (Vange: page 10, paragraphs 0096 and 0097; requests to be directed to web servers).

The Vange reference further teaches this action protects clients from the vagaries of the subnet-to-subnet latency and quality of service and avoids undesirable handoff of a client to a web server (Vange: page 9, paragraph 0089).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of receiving, translating, and providing data to a content provider as taught by Jamtgaard while employing translated data to more than one content provider as taught by Vange in order to protect the client from latency and undesirable handoffs (Vange: page 9, paragraph 0089).

Regarding claim 29,

The Jamtgaard reference teaches the method according to claim 9, wherein method of communicating with devices that use different communication schemes (Jamtgaard: col. 4, lines 66- col. 5, line 6), comprising: receiving, translating, and providing data to a content provider.

The Jamtgaard reference does not explicitly disclose sending the data to more than one content provider.

The Vange reference teaches providing the data to more than one of the content providers (Vange: page 10, paragraphs 0096 and 0097; requests to web servers), and further comprising: composing a combined set using the second data of the more than one content providers (Vange: Page 9, paragraph 0091).

The Vange reference further teaches this action protects clients from the vagaries of the subnet-to-subnet latency and quality of service and avoids undesirable handoff of a client to a web server (Vange: page 9, paragraph 0089).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create method of communicating with devices that use different communication schemes comprising: receiving, translating, and providing data to a content provider as taught by Jamtgaard while employing translated data to more than one content provider as taught by Vange in order to protect the client from latency and undesirable handoffs (Vange: page 9, paragraph 0089).

Regarding claim 18,

The Jamtgaard reference teaches the method according to claim 9, receiving, translating, and providing data to a content provider.

The Jamtgaard reference does not explicitly disclose style sheets applied independently to the second data.

The Nielson reference teaches at least two style sheets are selected and applied independently to the second data (Nielson: col. 7, lines 31-36).

The Nielson reference further teaches the invention extends the capabilities of style sheets adding additional functionality and a much more pleasing and semantically consistent presentation for the user (Nielson: col. 1, lines 54-57; col. 8, lines 28, 29).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method of receiving, translating, and providing data to a content provider as taught by Jamtgaard while employing two or more style sheets as taught by Nielson in order to extend the capabilities of style sheets and make a more pleasing presentation to the user (Nielson: col. 1, lines 54-57; col. 8, lines 28, 29).

Claims 19-22 are rejected under the same rationale given above. In the rejections set forth, the examiner will address the additional limitations and point to the relevant teachings of Jamtgaard et al and Nielson.

Regarding claim 19, the method according to claim 12, wherein at least two style sheets are selected and applied to transform the second data (Nielson: col. 7, lines 31-36).

Regarding claim 20, the method according to claim 19, wherein the style sheets are applied sequentially (Nielson: col. 7, lines 31-36; applied to a particular document by priority; col. 1, lines 54-57; cascading).

Regarding claim 21, the method according to claim 19, wherein an order of applying the style sheets is pre-selected (Nielson: col. 7, lines 31-36).

Regarding claim 22, the method according to claim 19, wherein at least three style sheets are applied both independently and sequentially (Nielson: col. 7, lines 31-36; applied to a particular document by priority; col. 1, lines 54-57; cascading).

Regarding claim 28,

The Jamtgaard reference teaches the method according to claim 9, receiving, translating, and providing data to a content provider.

The Jamtgaard reference does not explicitly state querying a provider's database.

The McCartney et al reference teaches querying a provider database (McCartney: page 2, paragraph 0020); and

receiving a previously registered XSL style sheet associated with said new content provider from the provider database (McCartney: page 2, paragraph 0020).

The McCartney reference further teaches the invention optimizes the web site for clients have different capabilities (page 1, paragraph 0007).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method of receiving, translating, and providing data to a content provider as taught by Jamtgaard while querying the provider database to get an XSL as taught by McCartney in order to optimize the web site for clients have different capabilities (page 1, paragraph 0007).

REMARKS

The Applicant Argues:

With regards to claims 1-66, applicant argues the Jamtgaard reference does not teach the limitations of claim 1 and claim 9, “a session manager examining data content communicated between at least one of said devices and said content provider to change characteristics associated with at least one said translator and said transformer” or that the transformation is based upon the data.

In response, the examiner respectfully submits:

The Jamtgaard reference does teach the above limitation. Jamtgaard teaches a session manager in col. 7, lines 31-47 as an appliance connection handler. The appliance handler brokers information between the requesting devices (col. 7, line 34) and the translation server (col. 7, line 34-35). The appliance connection handler establishes connections with the devices retrieve page information from the content connection handler and translate the information (col. 7, lines 39-44). Jamtgaard further teaches determining information based on the data in col. 5, lines 27-53 where the translation server gets (scrapes) data from the websites getting formation like transactions, cookies, forms, and session data. Col. 5, lines 54-64 teach the data is received and generated into RML format identified for delivery (col. 7, lines 48- col. 8, line 17). Claim 1 does not even recite the limitation where the “transformation is based on the data.” The claim 9

limitation says "change characteristics associated with at least one of step of translation or transforming based on examining data content communicated. The citation of col. 5 shows where the data is pulled and transformed. What the data is transformed into is based upon what is extracted from the content like cookies, forms, and more.

The Applicant Argues:

With regards to claims 7, 28, and 29, Applicant argues the effective filing date of the Vange reference and the McCartney reference.

In response, the examiner respectfully submits:

With regards to the date of the U.S. Publication No. 2002/0002602 by Vange. The applicant is correct with his assessment the secondary reference in the 35 U.S.C. 103(a) rejection (Vange) does have a filing data after the instant application's filing data. The Vange application does claim priority of a provisional application before the immediate applications filing data with a date of 4-17-2000 from 60/197,490. Similarly U.S. Publication No. 2002/0010716 by McCartney claims priority of provisional application 60/184,812 on 2-24-2000. The American Inventors Protection Act of 1999 gives Publications and Patents the priority of the provision application's filing date. See MPEP 2136 and MPEP 2136.03. This gives retroactive effective date for all 102(e) dates.

The Applicant Argues:

Further applicant argues, he should be sent a copy of the provisional application.

In response, the examiner respectfully submits:

The examiner cannot understand the applicant's prejudice against the prior when the provisional applications were publicly available through the PAIRS system. The cited provisional references would be listed but have been available online through the Patent Office Website.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number is (703) 305-0324. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Benjamin R Bruckart
Examiner
Art Unit 2155

Brb
September 27, 2004


HOSAIN ALAM
ASSISTANT PATENT EXAMINER